

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ISAAC ARAGON,

Plaintiff,

v.

No. 1:23-cv-00359-KWR-JFR

FARMERS DIRECT PROPERTY AND CASUALTY INSURANCE COMPANY d/b/a
METROPOLITAN DIRECT PROPERTY AND CASUALTY INSURANCE COMPANY d/b/a
METLIFE AUTO AND HOME, FARMERS PROPERTY AND CASUALTY INSURANCE
COMPANY, and SAFECO INSURANCE COMPANY OF AMERICA,

Defendants.

**ORDER DISMISSING COUNT VII
OF PLAINTIFF'S FIRST AMENDED COMPLAINT**

THIS MATTER having come before the Court on *Farmers' Motion to Dismiss Count VII of Plaintiff's Complaint (Doc. 5)* ("Motion") and the *Stipulation to Dismiss Count VII for Negligence of Plaintiff's First Amended Complaint (Doc. 12)*, the Court, being fully advised in the premises,

HEREBY FINDS AND ORDERS that Count VII (Negligence by All Defendants and Their Employees) of Plaintiff's First Amended Complaint is **DISMISSED WITH PREJUDICE**, with each party bearing their own attorneys' fees and costs associated with this dismissal.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE

RESPECTFULLY SUBMITTED:

RILEY | KELLER | ALDERETE | GONZALES

/s/ Courtenay L. Keller

Courtenay L. Keller

Taryn M. Kaselonis

3880 Osuna Road NE

Albuquerque, NM 87109

(505) 883-5030

ckeller@rileytmlaw.com

tkaselonis@rileytmlaw.com

Attorneys for Farmers

APPROVED:

KELLER & KELLER, LLC

/s/ Michael G. Duran (via email 6/6/23)

Michael G. Duran

Daniel T. Cornish

Samantha L. Drum

6301 Indian School Rd. NE, Ste. 920

Albuquerque, NM 87110

(505) 938-2300

michaeld@2keller.com

dcornish@2keller.com

sdrum@2keller.com

Attorneys for Plaintiff

/s/ Meena H. Allen (via email 6/6/23)

Meena H. Allen

Jacqueline D. Mosher

Allen Law Firm, LLC

6121 Indian School Road NE, Suite 230

Albuquerque, NM 87110

(505) 298-9400

mallen@mallen-law.com

jmosher@mallen-law.com

Attorneys for Safeco